IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SEVENTEENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 5381 of 2005

Between:

Parvathareddy Sudheer Kumar Reddy, S/o.Srinivasulu Reddy,
R/o.Santhi Nagar, Kovur, Mandal, Nellore District.

... PETITIONER

AND

1 The District Collector, Nellore, Nellore District.
2 The Revenue Divisional officer, Kavali, Nellore District.
3 The Mandal Revenue officer, Sangam Mandal, Nellore District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue writ, order or direction, more particularly one in the nature of writ of Mandamus, declaring the action of the respondents in trying to dispossess the petitioner from the land in Sy.No.772-B to an extent of Ac.0.27 cents without giving any notice or without following due process of law, as arbitrary, illegal and against the principles of natural justice and consequently direct the respondents not to dispossess the petitioner from the land in sy.no.772-B to an extent of Ac.0.27 cents situated at Santhi Nagar, Kovur, Nellore District.

Counsel for the Petitioner: MRS.A.BALA BARATHI

Counsel for the Respondents: GP FOR REVENUE

The Court at the stage of admission made the following:

ORDER:

The petitioner seeks a writ of Mandamus declaring the alleged action of the respondents in seeking to dispossess him from the land in Sy.No.772-B to an extent of Ac.0.27 cents situated at Santhi Nagar, Kovur, Nellore District, as arbitrary and illegal.

The petitioner claims that he has been in possession and enjoyment of the said land for the past several years, having purchased the same under a registered sale deed. It is also claimed that the pattadar pass book was issued in his favour. However, it is alleged that the respondents have been interfering with his possession and enjoyment in respect of the said land, without following due process of law. Hence, this writ petition.

Having heard the learned counsel for the petitioner and the learned Government Pleader for Revenue appearing for the respondents and keeping in view the assertions made by the petitioner, the writ petition is disposed of with a direction to the respondents not to interfere with the possession and enjoyment of the petitioner in respect of the said land, without following due process of law. However, it is made clear that this Court has not expressed any opinion as to the ownership claimed by the petitioner.

The Writ Petition is accordingly disposed of. No order as to costs.

G. ROHINI, J

Dated: 17-03-2005

NOTE: Furnish C.C. in two days.

B/o.

LSK

ASSISTANT REGISTRAR

To

1 The District Collector, Nellore, Nellore District.
2 The Revenue Divisional officer, Kavali, Nellore District.
3 The Mandal Revenue officer, Sangam Mandal, Nellore District.

4 Two C.Cs. to the G.P. for Revenue, High Court Buildings, Hyderabad.(OUT)

5 Two C.D. copies.